

AMENDED IN ASSEMBLY JUNE 5, 2006

**SENATE BILL**

**No. 676**

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**Introduced by Senator Ashburn**

*(Principal coauthor: Assembly Member Karnette)*

February 22, 2005

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An act to add Section 14105.16 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 676, as amended, Ashburn. Medi-Cal: pharmacy reimbursement.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits, including prescription drugs, are provided to public assistance recipients and certain other low-income persons.

This bill would provide that the department shall ensure that medications provided to Medi-Cal recipients for intravenous or infusion drug therapy shall be reimbursed in a manner that is consistent with the services provided to ensure that patients receiving these services continue to receive appropriate care and continuity of their drug regimen.

*This bill would authorize the department to establish per diem or bundled reimbursement rates for pharmacies that provide home infusion supplies and services for eligible pharmacies.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. It is the intent of the Legislature to ensure*  
2     *individual access to appropriate home infusion services, promote*  
3     *home- and community-based care, support provider compliance*  
4     *with all applicable state and federal requirements, and*  
5     *encourage administrative efficiency in the provision of*  
6     *medications to Medi-Cal recipients for intravenous or infusion*  
7     *drug therapy.*

8     ~~SECTION 1.~~

9     *SEC. 2. Section 14105.16 is added to the Welfare and*  
10    *Institutions Code, to read:*

11    14105.16. (a) *The department shall ensure that medications*  
12    *provided to Medi-Cal recipients for intravenous or infusion drug*  
13    *therapy shall be reimbursed in a manner that is consistent with*  
14    *the services provided to ensure that patients receiving these*  
15    *services continue to receive appropriate care and continuity of*  
16    *their drug regimen.*

17    (b) *The department may establish per diem or bundled*  
18    *reimbursement rates for pharmacies that provide home infusion*  
19    *supplies and services. Only pharmacies that comply with*  
20    *Sections 4127 and 4127.1 of the Business and Professions Code*  
21    *may be determined to be eligible for reimbursement rates*  
22    *established under this subdivision.*

23    (c) *In implementing this section the department shall consult*  
24    *with pharmacies providing home infusion supplies and services*  
25    *with respect to all of the following:*

26    (1) *Notifying the provider representatives of the proposed*  
27    *change.*

28    (2) *Scheduling at least one meeting to discuss the change.*

29    (3) *Obtaining actual costs from providers regarding supplies,*  
30    *services, and administrative costs.*

31    (4) *Allowing for written input regarding the change.*

32    (5) *Providing 30-day advance notice to providers on the*  
33    *implementation and effective date of the change.*

34    (d) *Changes made in the Medi-Cal program pursuant to this*  
35    *section are exempt from the requirements of the Administrative*  
36    *Procedure Act (Chapter 3.5 (commencing with Section 11340),*  
37    *Chapter 4 (commencing with Section 11370), and Chapter 5*  
38    *(commencing with Section 11500), of Part 1 of Division 3 of Title*

1 *2 of the Government Code), and shall not be subject to the review*  
2 *and approval of the Office of Administrative Law.*

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